

**COMMITTEE ON FINANCE**  
**(Standing Committee of Berkeley County Council)**

**Chairman:** Mr. Jack H. Schurlknight, Council Member District No. 6

A **meeting** of the **Committee on Finance**, Standing Committee of Berkeley County Council, was held on Monday, **May 23, 2011**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:19 p.m.

**PRESENT:** Chairman Jack H. Schurlknight, Council District No. 6; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Caldwell Pinckney, Jr., Council District No. 7; Committee Member Steve Davis, Council District No. 8; Supervisor Daniel W. Davis; Ms. Nicole Ewing, County Attorney; Ms. Elizabeth Cannon, Assistant County Attorney; and Ms. Catherine R. Windham, Acting Clerk of County Council. Committee Member Cathy S. Davis, Council District No. 4 was excused.

**ALSO PRESENT:** Council Member Phillip Farley, Council District No. 1, ex officio; Council Member Timothy J. Callanan, Council District No. 2, ex-officio; Committee Member D. Fish, Council District No. 5, ex-officio.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Schurlknight: "I'd like to call the Finance Meeting to order."

**APPROVAL OF MINUTES**

Chairman Schurlknight: "First on the agenda is approval of minutes from April 25, 2011."

Committee Member S. Davis: "Move for approval."

Committee Member C. Pinckney: "Second."

Chairman Schurlknight: "We have a motion and second. Are there any corrections to these minutes? (No response). Hearing none, all in favor? (Ayes) Opposed? (No response). Minutes stand approved as presented."

It was moved by Committee Member S. Davis and seconded by Committee Member C. Pinckney to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "I don't think we're going to need an Executive Session, so the next on the agenda is Ms. Ginger Hamilton, Delinquent Tax Collector, request additional funds for postage. Ms. Hamilton?"

**EXECUTIVE SESSION** – None

**A. Ms. Ginger Hamilton, Delinquent Tax Collector, Re:** Request for additional funds for postage.

Committee Member S. Davis: "Move for approval."

Committee Member C. Pinckney: "Second."

Chairman Schurlknight: "We have a motion and a second. I think we go through this every year when we get ready to mail out things. Don't we, Ms. Hamilton?"

Ms. Ginger Hamilton: "Yes sir. Thank you so much."

Chairman Schurlknight: "Do we have any other questions, Ms. Hamilton?"

Ms. Ginger Hamilton: "No sir, I do not. No questions."

Chairman Schurlknight: "Ok. All..."

Council Member Farley: "How much was the amount?"

Ms. Ginger Hamilton: "Up to \$25,000."

Council Member Farley: "25?"

Ms. Ginger Hamilton: "Up to, yes sir; as needed."

Council Member Farley: "Good, thank you."

Chairman Schurlknight: "Any other comments? (No Response) All in favor? (Ayes) Opposed? (No Response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member C. Pinckney to **approve** the additional funds up to \$25,000 as needed for **postage** by the **Delinquent Tax Collector's** office from Contingency Funds. The motion passed by unanimous voice vote of the Committee.

Committee Member S. Davis: "Takes money to get money."

Council Member Fish: "Yeah, you're right."

Ms. Ginger Hamilton: "Thank you."

Chairman Schurlknight: "Thank you. Next on the agenda is ...."

**B. Consideration** of a **resolution** authorizing the County Supervisor to negotiate and execute a **lease agreement** with **Parkway Investments, LLC**, for property located at 102 Sangaree Park Court, Suite 1, Summerville, South Carolina 29483.

Committee Member S. Davis: "Move for approval."

Committee Member C. Pinckney: "Second."

Chairman Schurlknight: "We have a motion and a second. Do we have any comments; any questions? (No Response) Hearing none, all in favor? (Ayes) Opposed? (No Response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member C. Pinckney to **approve a resolution** authorizing the County Supervisor to negotiate and execute a **lease agreement** with **Parkway Investments, LLC**, for property located at 102 Sangaree Park Court, Suite 1, Summerville, South Carolina 29483. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next up is..."

- C. **Consideration** prior to **First Reading** of an ordinance authorizing the execution and delivery of one or more incentive agreements by and among Berkeley County, South Carolina, and **Project Surge**, and one or more affiliated or related entities, as sponsor, to provide for a **fee-in-lieu of taxes** incentive; to provide for a sponsor affiliate; to provide for the inclusion of the project in a multi-county business or industrial park; to provide for special source revenue credits; and to enter into any other necessary agreements with the sponsor and sponsor affiliate to effect the intent of this ordinance; and other related matters.

Committee Member S. Davis: "Move for approval."

Committee Member C. Pinckney: "Second."

Chairman Schurlknight: "We have a motion and a second. Do we have any comments; questions? (No response) Hearing none all in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member C. Pinckney to **approve** prior to First Reading, consideration of an ordinance identifying a project to allow investment expenditures incurred by **Project Surge** to qualify as eligible for a **fee-in-lieu of ad valorem tax** arrangement with Berkeley County. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next I have is..."

- D. **Consideration** prior to **Second Reading**:

1. **Bill No. 11-10**, an **ordinance** to amend the language of **Ordinance No. 79-3-08**, as amended, by requiring a residency requirement of all **Sangaree Advisory Committee Members**.

Committee Member S. Davis: "Move for approval."

Committee Member Call: "Second."

Chairman Schurlknight: "We have a motion and a second. Do we have any comments? (No response) Hearing none all in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member Call to **approve** consideration, prior to Second Reading, Bill No. 11-10. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next we have ..."

2. **Bill No. 11-11**, an **ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

Committee Member S. Davis: "Move for approval."

Chairman Schurlknight: "We have a motion. Do we have a second?"

Committee Member C. Pinckney: "Second."

Chairman Schurlknight: "We have a motion and a second. Do we have any questions, comments? (No response) All in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member C. Pinckney to **approve** consideration, prior to Second Reading, Bill No. 11-11. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next we have ..."

3. **Bill No. 11-12**, an **ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

Committee Member S. Davis: "Move for approval."

Chairman Schurlknight: "We have a motion. Do we have a second?"

Committee Member C. Pinckney: "Second."

Chairman Schurlknight: "Any discussion?"

Council Member Callanan: "Yes, for the record, since I'm not permitted to vote on this Committee I just wanted, to let you know that I do support this."

Chairman Schurlknight: "Could you repeat that Mr. Callanan, I didn't understand?"

Council Member Callanan: "Yes, for the record, I just wanted to say since I'm not permitted to vote on this Committee and Pimlico is in my district, I do support this."

Chairman Schurlknight: "Good. Thank you. Any other comments? Hearing none, all in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member C. Pinckney to **approve** consideration, prior to Second Reading, Bill No. 11-12. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next we have ..."

4. **Bill No. 11-13, an ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

Committee Member S. Davis: "Move for approval."

Chairman Schurlknight: "We have a motion. Do we have a second?"

Committee Member C. Pinckney: "Second."

Chairman Schurlknight: "We have a second. Do any of you have discussion? Hearing none, all in favor say Aye? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member C. Pinckney to **approve** consideration, prior to Second Reading, Bill No. 11-13. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next we have ..."

5. **Bill No. 11-14, an ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

Committee Member S. Davis: "Move for approval."

Chairman Schurlknight: "We have a motion. Do we have a second?"

Committee Member Call: "Second."

Chairman Schurlknight: "We have a second, any comments? (No response) Hearing none, all in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member Call to **approve** consideration, prior to Second Reading, Bill No. 11-14. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next we have ..."

6. **Bill No. 11-15, an ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

Committee Member C. Pinckney: "Move for approval."

Committee Member S. Davis: "Second."

Chairman Schurlknight: "We have a motion and a second, any comments? (No response) Hearing none, all in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member C. Pinckney and seconded by Committee Member S. Davis to **approve** consideration, prior to Second Reading, Bill No. 11-15. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next we have ..."

7. **Bill No. 11-16, an ordinance** providing appropriations for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county for the fiscal year; and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by **Berkeley County Water and Sanitation**.

Committee Member Call: "Move to approve."

Committee Member S. Davis: "Mr. Chairman?"

Chairman Schurlknight: "We have a motion, do we have a second and we'll open up discussion?"

Committee Member S. Davis: "I second it for discussion."

Chairman Schurlknight: "We have a second. Mr. Davis? Mr. Steve Davis?"

Committee Member S. Davis: "Now I remember, we combined Water and Sanitation and then the County budget. Is ...this is what's before us at this time?"

Chairman Schurlknight: "It's combined under that one bill but separate budgets."

Committee Member S. Davis: "I was hoping... I thought we would have the workshop before we had the second reading but that's not the case."

Supervisor Davis: "We'll have the workshops tomorrow night and Wednesday night. We have the workshops before we have third reading."

Committee Member S. Davis: "Ok..."

Chairman Schurlknight: "That's no problem."

Committee Member S. Davis: "I said ok. The budget outlay that we'll be working on tomorrow night and Wednesday night will be the Supervisor's budget?"

Chairman Schurlknight: "And the Water and Sanitation."

Committee Member S. Davis: "Water and Sanitation."

Chairman Schurlknight: "Same thing we're working on right now."

Committee Member S. Davis: "And so everybody will have ample opportunity during the workshop and then come back before County Council before you have third reading."

Chairman Schurlknight: "Sure, sure and you know tonight, in essence, could be a workshop too you know. You'd get the comments out, the questions out; throw it out and we can address some tomorrow night and Wednesday night if we have to have it..."

Committee Member S. Davis: "But the workshop is scheduled for tomorrow night?"

Chairman Schurlknight: "Yeah, tomorrow and Wednesday night."

Council Member S. Davis: "And the only reason I say this is because you know, we feel there's going to be ample enough time. We're on schedule and everything?"

Chairman Schurlknight: "Yeah, yeah. I think we are."

Committee Member Call: "Mr. Chairman?"

Council Member Fish: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Call?"

Committee Member Call: "This will come back to Finance Committee before it goes to third reading, won't it?"

Chairman Schurlknight: "Yes, that's correct. Mr. Fish?"

Council Member Fish: "Two comments. I'd like to formally request from Finance a year to date figure, as close we can to the end of the month. The same format the budget is like you did last year; by department, actual year to date, so I can do my analysis. I think the answer to Mr. Davis's question...I'm going to submit that to Council and if we need be, and if there are some major changes, I'm going to recommend that we have a continued resolution to move it out to the following month like we did last year."

Chairman Schurlknight: "Kace..."

Committee Member S. Davis: "Point of protocol."

Chairman Schurlknight: "Did you understand Mr. Fish's request?"

Ms. Kace Smith: "You're requesting actual expenditures through today?"

Council Member Fish: "Today. I mean don't wait until next...end of the month is what next Monday?"

Ms. Kace Smith: "Yes sir."

Council Member Fish: "But if you can in the next week or so. That's close enough for me to do my analysis on the...like I normally do between expenditures, forecasts, and rational."

Ms. Kace Smith: "So would you like us to wait until the 31<sup>st</sup> which is next Tuesday? We can do that for you. It's up to you, we can do it through the 15<sup>th</sup>, we can..."

Council Member Fish: "If I can get it, you know, a couple of days after the 31<sup>st</sup> which will allow me some time to do some analysis and get it back before the next meeting."

Ms. Kace Smith: "Absolutely. Did you need revenues as well?"

Council Member Fish: "I'm more concerned with expenditures. Revenues...they are what they are."

Ms. Kace Smith: "Great....yes."



Council Member Fish: "I mean it'd be nice if you give me revenues as a whole. I don't need that broken down."

Ms. Kace Smith: "The revenues, it will be...need to be a few days later, but I can get you the expenditures early next week."

Council Member Fish: "Thank you, I appreciate that."

Ms. Kace Smith: "They're just not finished posting the revenues until probably the end of next week."

Council Member Fish: "If you let me know I can either come pick them up or you can email them if they are not too big or what works; whatever's easier."

Ms. Kace Smith: "Absolutely, be happy to do that."

Chairman Schurlknight: "Thank you, Kace. Mr. Davis?"

Committee Member S. Davis: "No. I'm completed."

Chairman Schurlknight: "You ok?"

Council Member Callanan: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Callanan?"

Council Member Callanan: "Just a couple of questions that I have on this. Does this budget include a mileage increase?"

Chairman Schurlknight: "No."

Supervisor D. Davis: "Chairman, can I answer?"

Chairman Schurlknight: "Yep, go ahead."

Supervisor D. Davis: "It does not."

Council Member Callanan: "On any...on debt or any other?"

Supervisor D. Davis: "No."

Council Member Callanan: "Ok and the second question I have is, does this budget fund the commitment we made to Trident Tech last year?"

Supervisor D. Davis: "It does not at this point in the....and the reason for that if you recall, I think we sent out some information. The fund where we got the money from last year

our House Delegation voted to basically take that money from us and so the House has passed it, it's before the Senate so that money would not be available if it passes."

Council Member Callanan: "So if the money, if it does not pass the Senate, the money would be available?"

Supervisor D. Davis: "Well, not really because that bill is still, is still active in the House until the end of next legislative session. The Senate could pass it at any time. They haven't defeated it. They just have not passed it."

Council Member Callanan: "And what, just out of curiosity, what pot of money was this?"

Supervisor D. Davis: "That's the Multi-County Park Fund."

Council Member Callanan: "Ok. I thought last year we got the money....Oh wait, so that's how we were going to pay for this, was the Multi-County Park?"

Supervisor D. Davis: "Well we..."

Council Member Callanan: "Last year was through the fund balance right?"

Supervisor D. Davis: "No, last year it came from Multi-County Park Fund and we probably would be...and that was probably going to be a question for Council as to where we were going to get that money from. We only approved one year's funding last year."

Council Member Callanan: "Ok. The second question I had was the...Oh, no, no, no, actually that was my second question. Alright, thank you."

Chairman Schurlknight: "Thank you."

Committee Member S. Davis: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Davis?"

Committee Member S. Davis: "I just want to piggy-back on that because Dr. Thornley called me and I know we unanimously made a commitment and what I'm concerned about if the House Delegation put us in this dilemma then...and the Senate don't pass it, you're saying we still can't move forward?"

Supervisor D. Davis: "Well, we're having discussions about that and we've also....Nicole has discussed this with other legal counsel because it's a dilemma. Nothings guaranteed until...nothing would be guaranteed until the Senate actually acted on it and defeated it. And especially through the end of this next, this next year's session."

Committee Member S. Davis: "I think that the \$64,000.00 question is though, if the Senate don't act upon it, do we have the authority to allocate that money even though the House passed laws saying that they want to give it to another source? I guess that's the question."

Supervisor D. Davis: "Well, I would feel comfortable appropriating that money for one more year."

Committee Member S. Davis: "Ok great, great."

Supervisor D. Davis: "The problem is having a thirty year commitment for that money and then that's taken away from us then we're...we would be on the hook for that money someday, somehow."

Council Member Callanan: "And if we can look....I'm sorry, Mr. Chairman?"

Chairman Schurlknight: "Go right ahead, Mr. Callanan."

Council Member Callanan: "If we can look into this. I thought I remember last year saying that the commitment that we made last year was from fund balance. That's what I remember. I know it doesn't carry over to this year, I just thought that's what the motion was last year. I'm just... Can I get some clarification on what House Bill we're talking about and what exactly it does? I just try and pay attention to these things and I don't...I have no idea what we are talking about."

Supervisor D. Davis: "I think the House number...It was 20-50 was it? 20-40?"

Committee Member S. Davis: "20-40"

County Attorney N. Ewing: "It's either 20-50 or 40-50. Now I'm confused in my head. I thought I knew that it was 40-50 but it's the one that directs all Multi-County Parks, the school's portion of all Multi-County Park money for Berkeley County to the Berkeley County School District so....I think it's, either House Bill 20-50 or 40-50. But I can get a copy of it for you, Mr. Callanan or email it to you tomorrow."

Council Member Callanan: "Well, when did we...So we made a decision essentially that we're going to use the Mt. Holly money to pay this? There's no other means to pay this? I mean that's what we're determining. That's what you're determining, right?"

Supervisor D. Davis: "Well, no I'm not determining anything. It's just that last year absent a tax increase, a mileage increase for the Trident Tech mileage. That was the only place that I could find to come up with the money and so we paid the first year, I think it was \$400 and something thousand dollars?"

Council Member Callanan: "It was \$337,000 something like that. Ok, so what we're saying is...so last year that money came from the Mt. Holly/Google money?"

Supervisor D. Davis: "Well the Multi-County Park fund. That's.... I mean Multi-County Park dollars; it's not identified as Google and Mt. Holly. All the Multi-County Park properties are considered Multi-County Park dollars and it goes into one large fund."

Council Member Callanan: "But the Google/Mt. Holly fund is the only ones where we don't share the revenue with the School District, right?"

Supervisor D. Davis: "We just reserve those dollars that came from there to do this project and the Sheep Island Project or that was the plans."

Council Member Callanan: "Ok and if we can still look into that motion from last year I'd appreciate it."

Chairman Schurlknight: "Do we have any further discussion? (No response) Hearing none, I have a motion and a second. All in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member Call and seconded by Committee Member S. Davis to **approve** consideration, prior to Second Reading, Bill No. 11-16. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "Next on the agenda, excuse me, is...."

8. **Bill No. 11-17**, an **ordinance** to **amend Ordinance No. 10-07-20** adopted July 26, 2010, to provide for **supplemental appropriations** and allocations thereof within the 2010-2011 budget for Berkeley County; and other matters relating thereto.

Chairman Schurlknight: "Do I have a motion?"

Committee Member Pinckney: "So move."

Committee Member Call: "Second."

Chairman Schurlknight: "I have a motion and a second. Any discussion?"

Committee Member S. Davis: "Yes, Mr. Chairman? Please enlighten me a little bit, I know...please."

Ms. Kace Smith: "Yes sir, this is our annual adjustment to the budget that takes into consideration insurance proceeds and other adjustments that happens through the year. It's not increasing the overall budget at all other than your insurance proceeds and then we budget the corresponding expenditures and we've got them broken down in different categories."

Committee Member S. Davis: "This is funded within the existing budget?"

Ms. Kace Smith: "Yes sir it is funding within the existing budget. That's correct."

Committee Member S. Davis: "Ok."

Chairman Schurlknight: "Ok. Any other questions? (No response) Hearing none, I have a motion and a second. All in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member Pinckney and seconded by Committee Member Call to **approve** consideration, prior to Second Reading, Bill No. 11-17. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "And lastly we have..."

9. **Bill No. 11-19**, an **ordinance** authorizing (1) the execution and delivery of (a) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between Berkeley County, South Carolina (the "county") and **HLIT IV SC-1, L.P.** and **HLIT IV SC-2, L.P.** and (b) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between the county and **HW BERKELEY PHASE II-A, LLC**, **HW BERKELEY PHASE II-B, LLC** and **HW BERKELEY PHASE II-C, LLC**, in connection with investment in the county; and (2) other matters relating to the foregoing.

Committee Member S. Davis: "Move for approval."

Chairman Schurlknight: "We have a motion, do we have a second?"

Committee Member Call: "Second."

Chairman Schurlknight: "We got a second, any discussion? (No response) Hearing none, all in favor? (Ayes) Opposed? (No response). Motion carries."

It was moved by Committee Member S. Davis and seconded by Committee Member Call to **approve** consideration, prior to Second Reading, Bill No. 11-19. The motion passed by unanimous voice vote of the Committee.

Chairman Schurlknight: "I would entertain a motion to adjourn."

Committee Member Call: "So move."

Chairman Schurlknight: "We have a motion, do we have a second to adjourn."

Committee Member S. Davis: "Yes, so move."

Chairman Schurlknight: "All in favor? (Ayes) Opposed? (No Response). We're adjourned, thank you."

It was moved by Committee Member Call and seconded by Committee Member S. Davis to **adjourn** the meeting of the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 6:36 p.m.

June 27, 2011  
Date Approved

## FINANCE

(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, District No. 6

Members: Mr. Robert O. Call, Jr., District No. 3  
Mrs. Cathy S. Davis, District No. 4  
Mr. Caldwell Pinckney, Jr., District No. 7  
Mr. Steve C. Davis, District No. 8

Mr. Phillip Farley, District No. 1, ex officio  
Mr. Timothy Callanan, District No. 2, ex officio  
Mr. Dennis Fish, District No. 5, ex officio  
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON FINANCE**, Standing Committee of Berkeley County Council will be held on **Monday, May 23, 2011, at 6:01 p.m.**, following other scheduled committee meetings in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

## AGENDA

### APPROVAL OF MINUTES

**April 25, 2011**

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversarial situations involving the assertion against the County of a claim.

- A. **Ms. Ginger Hamilton, Delinquent Tax Collector, Re:** Request for additional funds for postage.
- B. **Consideration** of a **resolution** authorizing the County Supervisor to negotiate and execute a **lease agreement** with **Parkway Investments, LLC**, for property located at 102 Sangaree Park Court, Suite 1, Summerville, South Carolina 29483.
- C. **Consideration** prior to **First Reading** of an ordinance authorizing the execution and delivery of one or more incentive agreements by and among Berkeley County, South Carolina, and **Project Surge**, and one or more affiliated or related entities, as sponsor, to provide for a **fee-in-lieu of taxes** incentive; to provide for a sponsor affiliate; to provide for the inclusion of the project in a multi-county business or industrial park; to provide

for special source revenue credits; and to enter into any other necessary agreements with the sponsor and sponsor affiliate to effect the intent of this ordinance; and other related matters.

**D. Consideration prior to Second Reading:**

1. **Bill No. 11-10**, an **ordinance** to amend the language of **Ordinance No. 79-3-08**, as amended, by requiring a residency requirement of all **Sangaree Advisory Committee Members**.
2. **Bill No. 11-11**, an **ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.
3. **Bill No. 11-12**, an **ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.
4. **Bill No. 11-13**, an **ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.
5. **Bill No. 11-14**, an **ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.
6. **Bill No. 11-15**, an **ordinance** providing for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.
7. **Bill No. 11-16**, an **ordinance** providing appropriations for the fiscal year beginning **July 1, 2011, and ending June 30, 2012**, for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county for the fiscal year; and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by **Berkeley County Water and Sanitation**.



8. **Bill No. 11-17**, an **ordinance** to **amend Ordinance No. 10-07-20** adopted July 26, 2010, to provide for **supplemental appropriations** and allocations thereof within the 2010-2011 budget for Berkeley County; and other matters relating thereto.
9. **Bill No. 11-19**, an **ordinance** authorizing (1) the execution and delivery of (a) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between Berkeley County, South Carolina (the "county") and **HLIT IV SC-1, L.P.** and **HLIT IV SC-2, L.P.** and (b) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between the county and **HW BERKELEY PHASE II-A, LLC**, **HW BERKELEY PHASE II-B, LLC** and **HW BERKELEY PHASE II-C, LLC**, in connection with investment in the county; and (2) other matters relating to the foregoing.

May 18, 2011  
S/Catherine R. Windham  
Acting Clerk of County Council